

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

METAVANTE CORPORATION,

Plaintiff,

v.

Case No. 05-CV-1221

EMIGRANT SAVINGS BANK,

Defendant.

ORDER

On August 13, 2008, plaintiff Metavante Corporation ("Metavante") filed a motion for contempt and sanctions against defendant Emigrant Savings Bank ("Emigrant") for failing to comply with the court's May 5, 2008 discovery order. (Docket #293). The court denies this motion without prejudice subject to its renewal by Metavante following the bench trial scheduled for May 4, 2009.

In conjunction with its motion, Metavante filed a motion to seal an exhibit to its memorandum in support. (Docket #289). The exhibit is a copy of an email between counsel for the parties in this case. Because it appears that the email contains confidential information on specific types of software used by Emigrant, the court grants Metavante's motion to seal.

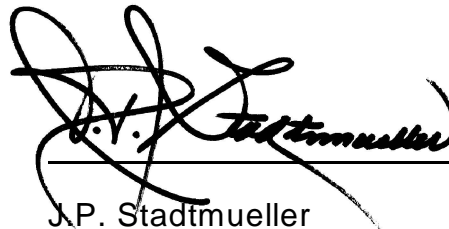
Accordingly,

IT IS ORDERED that Metavante's motion for contempt and sanctions (Docket #293) be and the same is hereby **DENIED** without prejudice, subject to renewal following the bench trial scheduled for May 4, 2009;

IT IS FURTHER ORDERED that Metavante's motion to seal exhibit L (Docket #289) be and the same is hereby **GRANTED**.

Dated at Milwaukee, Wisconsin, this 11th day of March, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

J.P. Stadtmueller
U.S. District Judge